

NOV 10 2006

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**Fitch, Even, Tabin & Flannery**  
*Intellectual Property Law*

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**FACSIMILE COVER SHEET**Date: November 10, 2006

To: Honorable Commissioner Company: USPTO  
Fax: 571 273 8300 Tel: 571 272 1000

Total Number of Pages (including cover sheet): 2

From: Kendrew H. Colton Company: Fitch, Even, Tabin & Flannery  
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**Message:**

The U.S. Patent and Trademark Office acknowledges the item(s) listed below:

Re: U.S. Patent Application No. 10/528,167  
Inventors: HOECKE et al.  
Filed: April 5, 2005  
Group Art Unit: 1761  
Attorney Docket No.: 7393/84301

1. Request to Re-Publish Application with Proper Claims to Correct a PTO Error

**CERTIFICATE OF FACSIMILE**

I hereby certify that the attached, above-referenced documents are being transmitted via facsimile to the U.S. Patent and Trademark Office today, November 10, 2006.

Respectfully submitted,

Kendrew H. Colton, Reg. No. 30,368

*Fitch, Even, Tabin & Flannery*  
Customer No. 42798

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**FITCH EVEN TABIN & FLANNERY**  
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November 10, 2006

Honorable Commissioner  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313

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Re: In re HOECKE et al.  
U.S. Patent Application No. 10/528,167  
Filed: April 5, 2005  
Group Art Unit: 1761  
Confirmation No.: 2645  
Attorney Docket No.: 7393/84301

Dear Sir:

Applicants' legal representative renews the Request of July 7, 2006, to have this application re-published to correct a PTO error. As noted in the July 7, 2006 Request, the Patent Office published this application with claims having nothing to do with Applicants' invention. As the Patent Office has been previously advised, it published U.S. Application US2006/0134309 A1 with claims 1-33 directed to a free-fall simulator. However, Applicants are not claiming any free-fall simulator, but they are claiming an invention related to a composition for replacing milk powder.

It is now November 2006, and the favor of a response to the July 7, 2006 Request would be appreciated by Applicants (and their Assignee).

It is not seen that any further fees are required from Applicants to pay for correcting a PTO error.

Respectfully submitted,



Kendrew H. Colton  
Registration No. 30,368

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